

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1863 be amended to read as follows:

- 1 Page 1, line 8, delete "department of" and insert "department. of".
- 2 Page 1, strike line 9.
- 3 Page 1, between lines 12 and 13, begin a new paragraph and insert:
- 4 **""Department" refers to the Indiana department of**
- 5 **administration established by IC 4-13-1-2."**
- 6 Page 2, line 1, strike "racial".
- 7 Page 2, line 9, strike ""Racial".
- 8 Page 2, line 9, delete "minority" and insert ""Minority".
- 9 Page 2, line 14, strike "racial".
- 10 Page 2, line 14, delete "." and insert ", as defined by 13 CFR
- 11 **124.103."**
- 12 Page 2, between lines 21 and 22, begin a new line blocked left and
- 13 insert:
- 14 **"The term does not include the state lottery commission or the**
- 15 **Indiana gaming commission with respect to setting and enforcing**
- 16 **goals for awarding contracts to minority and women's business**
- 17 **enterprises.**
- 18 SECTION 2. IC 4-13-16.5-1.1 IS ADDED TO THE INDIANA
- 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2001]: **Sec. 1.1. A reference to a federal**
- 21 **statute or regulation in this chapter is a reference to the statute or**
- 22 **regulation as in effect January 1, 2001."**
- 23 Page 2, line 25, delete "has the meaning set forth in" and insert
- 24 **"means a business that is one (1) of the following:**

(1) A sole proprietorship owned and controlled by a woman.

(2) A partnership or joint venture owned and controlled by women in which:

(A) at least fifty-one percent (51%) of the ownership is held by women; and

(B) the management and daily business operations of which are controlled by at least one (1) of the women who owns the business.

(3) A corporation or other entity:

(A) whose management and daily business operations are controlled by at least one (1) of the women who owns the business; and

(B) that is at least fifty-one percent (51%) owned by women, or if stock is issued, at least fifty-one percent (51%) of the stock is owned by at least one (1) of the women."

Page 2, delete line 26.

Page 2, line 29, strike "fourteen (14) member".

Page 2, line 36, delete "Indiana department of" and insert "Indiana department. of".

Page 2, strike line 37.

Page 2, line 42, strike "Two (2)" and insert "Three (3)".

Page 2, line 42, after "state." insert "**Two (2) of the members appointed under this clause must represent minorities and one (1) of the members appointed under this clause must represent women.**".

Page 3, line 1, strike "Two (2)" and insert "Three (3)".

Page 3, line 1, after "state." insert "**Two (2) of the members appointed under this clause must represent minorities and one (1) of the members appointed under this clause must represent women.**".

Page 3, line 2, strike "Two (2)" and insert "Three (3)".

Page 3, line 2, after "state." insert "**Two (2) of the members appointed under this clause must represent minorities and one (1) of the members appointed under this clause must represent women.**".

Page 3, line 10, strike "No" and insert "Not".

Page 3, line 10, strike "four (4) of the seven (7)" and insert "six (6)".

Page 4, line 11, strike "of administration".

Page 4, line 21, delete "must" and insert "are required to be".

Page 4, between lines 25 and 26, begin a new paragraph and insert: "**(g) The department shall develop size standards based on 13 CFR 121.**

(h) The department shall adopt rules of ethics under IC 4-22-2 for commission members other than commission members appointed under subsection (a)(6) or (a)(7)."

- 1 Page 4, line 26, strike "(g)" and insert "(i)".
- 2 Page 4, line 26, strike "of administration".
- 3 Page 4, line 31, strike "Indiana".
- 4 Page 4, line 31, strike "of administration".
- 5 Page 4, line 33, strike "Indiana".
- 6 Page 4, line 34, strike "of administration".
- 7 Page 4, line 39, after "The" insert "**deputy**".
- 8 Page 5, line 15, strike "Indiana".
- 9 Page 5, line 15, after "department" insert ".".
- 10 Page 5, line 15, strike "of administration."
- 11 Page 5, line 19, delete "Indiana".
- 12 Page 5, line 19, delete "of administration".
- 13 Page 6, line 39, strike "racial".
- 14 Page 6, line 39, after "minorities" insert "**and women**".
- 15 Page 7, line 5, delete "must" and insert "**are required to be**".
- 16 Page 7, between lines 6 and 7, begin a new line block indented and
- 17 insert:
"The commission shall, in cooperation with the Indiana
- 18 **department of administration, adopt rules under IC 4-22-2 to**
- 19 **ensure that the goals set under this subdivision are met."**
- 20 Page 7, between lines 8 and 9, begin a new paragraph and insert:
"SECTION 9. IC 4-33-14-2 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this
- 23 chapter, "minority" means a person who is one (1) of the following:
- 24 (1) ~~Black.~~
- 25 (2) ~~Hispanic.~~
- 26 (3) ~~Asian American.~~
- 27 (4) ~~Native American or Alaskan native.~~
- 28 **member of a minority group as defined in IC 4-13-16.5-1.**
- 29 SECTION 10. IC 4-33-14-3 IS AMENDED TO READ AS
- 30 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. As used in this
- 31 chapter, "minority business enterprise" means a business that is one (1)
- 32 of the following:
- 33 (1) ~~A sole proprietorship owned and controlled by a minority.~~
- 34 (2) ~~A partnership or joint venture owned and controlled by~~
- 35 ~~minorities:~~
- 36 (A) ~~in which at least fifty-one percent (51%) of the ownership~~
- 37 ~~interest is held by at least one (1) minority; and~~
- 38 (B) ~~the management and daily business operations of which~~
- 39 ~~are controlled by at least one (1) of the minorities who own the~~
- 40 ~~business.~~
- 41 (3) ~~A corporation or other entity:~~
- 42 (A) ~~whose management and daily business operations are~~
- 43 ~~controlled by at least one (1) of the minorities who own the~~
- 44 ~~business; and~~
- 45 (B) ~~that is at least fifty-one percent (51%) owned by at least~~
- 46

1 one (1) minority; or if stock is issued, at least fifty-one percent
2 (51%) of the stock is owned by at least one (1) minority.

3 **has the meaning set forth in IC 4-13-16.5-1.**

4 SECTION 11. IC 4-33-14-4 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. As used in this
6 chapter, "women's business enterprise" means a business that is one (1)
7 of the following:

8 (1) A sole proprietorship owned and controlled by a woman.

9 (2) A partnership or joint venture owned and controlled by
10 women in which:

11 (A) at least fifty-one percent (51%) of the ownership is held by
12 women; and

13 (B) the management and daily business operations of which
14 are controlled by at least one (1) of the women who own the
15 business.

16 (3) A corporation or other entity:

17 (A) whose management and daily business operations are
18 controlled by at least one (1) of the women who own the
19 business; and

20 (B) that is at least fifty-one percent (51%) owned by women;
21 or if stock is issued, at least fifty-one percent (51%) of the
22 stock is owned by at least one (1) of the women.

23 **has the meaning set forth in IC 4-13-16.5-1.3."**

24 Page 7, line 23, after "contrary," insert **"the commission shall**
25 **establish annual goals for"**.

26 Page 7, line 24, after "license" insert ":".

27 Page 7, line 24, strike "shall establish".

28 Page 7, line 24, delete "annual".

29 Page 7, line 24, delete "goals:" and insert **"goals"**.

30 Page 7, line 33, delete "must" and insert **"are required to be"**.

31 Page 8, delete lines 6 through 33.

32 Renumber all SECTIONS consecutively.

(Reference is to HB 1863 as printed February 15, 2001.)

Representative Crawford